

REMARKS

Applicant has amended claims 1 and 41; proposed new Figures 6A-6E; and amended the specification to reference the proposed figures and to correct a typographical error. The Examiner's indication that claims 35-40 are allowed is acknowledged. Upon entering the above amendments, claims 1-13, 15-29, 31, 33-45, and 47, of which claims 1, 20, 35, and 41 are in independent form, are presented for examination.

The drawings have been objected to for failing to show every feature of the invention specified in the claims. As suggested by the Examiner, Applicant has proposed new Figures 6A-6E demonstrating the progression of the separation portions separating. No new matter has been added. Therefore, Applicant requests that the objection be withdrawn.

Claims 20-29, 31, 33, and 34 have been objected to for relying on a feature not shown in the drawings. As noted above, Applicant has proposed new Figures 6A-6E demonstrating the progression of the separation portions separating. Thus, Applicant requests that the rejection be withdrawn.

Claims 1-12, 15-19, 41-45, and 47 have been rejected under 35 U.S.C. §102(b) as anticipated by U.S. Pat. No. 6,063,112 issued to Sgro ("Sgro"). As amended, claims 1 and 41 recite a medical device including an endoprosthesis having a first end and a second end, the endoprosthesis defining a lumen extending between the ends, and a detached or separated portion of a sleeve having a surface defining an opening between the ends. It was noted in the Office Action that Sgro describes a detached sleeve having a surface on each end defining an opening. But, Sgro does not disclose or suggest a detached sleeve including a surface defining an opening between the ends, as recited in Applicant's claims 1 and 41. Therefore, Applicant requests that the rejection be withdrawn.

Claim 13, which depends from claim 1, has been rejected under 35 U.S.C. §103(a) as being unpatentable over Sgro in view of U.S. Pat. App. No. 2002/0052640 filed by Bigus et al. ("Bigus"). But Bigus does not cure the deficiencies discussed above with respect to claim 1. For at least the reasons discussed above, Applicant requests that the rejection be withdrawn.

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Claim 46 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Sgro. Applicant submits that this rejection is erroneous because Applicant previously canceled claim 46.

For at least the reasons discussed above, Applicant believes that all presented claims are allowable, which action is requested.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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